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DATE: July 17, 2007

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TO: Examiner Michael J. Araj, Group Art Unit 3733  
COMPANY: U.S. Patent and Trademark Office

FAX NUMBER: 571-273-8300  
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FROM: Douglas A. Collier

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RE: Response to Office Action for U.S. Patent Application No. 10/718,072 to Fred J. Molz, IV et al.

COMMENTS: I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office at 571-273-8300 on:

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

<b>TRANSMITTAL FORM</b>		Application Number	10/718,072
		Filing Date	November 20, 2003
(to be used for all correspondence after initial filing)		First Named Inventor	Fred J. Molz, IV
		Art Unit	3733
Total Number of Pages in This Submission		Examiner Name	Michael J. Ara
		Attorney Docket Number	MSDI-485/PC800.00

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Fax Cover Sheet
Remarks		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	Krieg DeVault, LLP	
Signature	<i>Douglas A. Collier</i>	
Printed name	Douglas A. Collier	
Date	July 17, 2007	Reg. No. 43,556

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:		
Signature	<i>Douglas A. Collier</i>	
Typed or printed name	Douglas A. Collier	Date July 17, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re patent application of:	)	Before the Examiner
Fred J. Molz, IV et al.	)	Michael J. Araj
Application Serial No. 10/718,072	)	Group Art Unit 3733
Filed: Nov. 20, 2003	)	Ref. No. MSDI-495/PC800.00
METHODS AND DEVICES FOR INSERTING	)	
AND ENGAGING VERTEBRAL IMPLANTS IN	)	
MINIMALLY INVASIVE PROCEDURES	)	July 17, 2007

**RESPONSE TO NON-FINAL OFFICE ACTION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Sir:

In response to the non-final Office Action dated April 19, 2007, please enter and consider the following amendments and remarks. No extensions of time or fees are believed due. However, please provide any extensions of time that may be necessary and charge any fees which may be due to Deposit Account No. 12- 2424, but not to include any payment of issue fees.

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July 17, 2007  
(Date of Transmission)

Douglas A. Collier  
Name of Registered Representative

*Douglas A. Collier*  
Signature

July 17, 2007  
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Response to Non-Final Office Action  
Serial No. 10/718,072  
Atty. Docket No. MSDI-495/PC800.00  
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